

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

CHANGE IN CLASS OF GENERAL APPLICABILITY
FOR COMPETITIVE PRODUCT

Docket No. CP2021-81

**USPS NOTICE OF CHANGES IN
CLASS OF GENERAL APPLICABILITY
FOR A COMPETITIVE PRODUCT**
(March 26, 2021)

Pursuant to 39 C.F.R. § 3035.104, the United States Postal Service hereby gives notice of classification changes for a competitive product, namely, Priority Mail Express. The changes eliminate the 10:30am delivery option for the Priority Mail Express product and the associated fee for that option. In accordance with Rule 3035.104(b), this Notice provides the Governors' Decision establishing the changes, including a statement of explanation and justification, the effective date, and certification of the vote. The classification changes will take effect on May 23, 2021.

Attached to the Governors' Decision is a schedule showing the classification changes made to the Priority Mail Express product within the competitive products section of the Mail Classification Schedule (MCS). Classification changes established by this Governors' Decision are shown in legislative format.

These MCS changes to eliminate the 10:30am delivery option are part of a broader decision by the Postal Service to reposition Priority Mail Express to an end-of-day guarantee. The base service will now provide 6:00pm delivery commitments for all origin-destination ZIP Code pairs. Accordingly, all current 12:00pm, 3:00pm, and

5:00pm delivery commitments will be moved to 6:00pm. These delivery time changes will be reflected in changes to the Domestic Mail Manual (DMM). A *Federal Register* notice detailing these DMM changes has been sent for publication to the Federal Register. A copy of that notice is attached for the convenience of the Commission and any interested parties.

The Governors' Decision and record of proceedings will be published in the *Federal Register* in accordance with 39 U.S.C. § 3632(b)(2).

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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March 26, 2021

Attachment

Governors' Decision and MCS

**DECISION OF THE GOVERNORS OF THE UNITED STATES POSTAL SERVICE ON CHANGES
IN CLASS OF GENERAL APPLICABILITY FOR COMPETITIVE PRODUCT (GOVERNORS'
DECISION NO. 21-1)**

February 8, 2021

STATEMENT OF EXPLANATION AND JUSTIFICATION

Pursuant to authority under section 3632 of title 39, as amended by the Postal Accountability and Enhancement Act of 2006 ("PAEA"), we establish changes in a class of general applicability for the Postal Service's shipping services (competitive products), namely, Priority Mail Express. The changes are reflected in the attached draft Mail Classification Schedule (MCS) sections, with classification changes shown in legislative format.

The Postal Service intends to make certain changes to the Priority Mail Express product to update the guaranteed delivery times available to customers. The base service will now provide 6:00pm delivery commitments for all origin-destination ZIP Code pairs. All current 12:00pm, 3:00pm, and 5:00pm delivery commitments will be moved to 6:00pm. These changes are intended to better align the product with operational capabilities, reduce the need for extraordinary operational efforts and deviations, and maintain a competitive end-of-day offering in the shipping services market. These delivery time changes will be accomplished via updates to the Domestic Mail Manual (DMM), which will be issued in conjunction with this Governors' Decision and associated Commission filing.

In accordance with these changes, the Postal Service will be eliminating the 10:30am delivery option and the associated fee from the Priority Mail Express product in the MCS. All other aspects of the Priority Mail Express product in the MCS will remain unchanged.

We have reviewed management's proposal and have evaluated the classification changes in accordance with 39 U.S.C. §§ 3632-3633 and 39 C.F.R. § 3035. We

approve the changes, finding that they are appropriate, and are consistent with the regulatory criteria as indicated by management.

ORDER

The classification changes set forth herein shall be effective on April 18, 2021, or as deemed advisable by management thereafter. We direct the Secretary to have this decision published in the *Federal Register* in accordance with 39 U.S.C. § 3632(b)(2), and direct management to file with the Postal Regulatory Commission appropriate notice of these changes.

By The Governors:

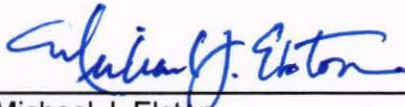


Robert M. Duncan
Chairman, Board of Governors

UNITED STATES POSTAL SERVICE
OFFICE OF THE BOARD OF GOVERNORS

CERTIFICATION OF GOVERNORS' VOTE ON
GOVERNORS' DECISION NO. 21-1

Consistent with 39 U.S.C. § 3632(a), I hereby certify that, on February 8, 2021, the Governors voted on adopting Governors' Decision No. 21-1, and a majority of the Governors then holding office voted in favor of that Decision.



Michael J. Elston
Secretary of the Board of Governors

Date: 2/8/2021

2105 Priority Mail Express

* * *

2105.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Pickup On Demand Service
- Sunday/Holiday Delivery
- ~~10:30 am Delivery~~
- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Collect On Delivery (1505.7)
 - Priority Mail Express Insurance (1505.9)
 - Return Receipt (1505.13)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2545)
 - Adult Signature (2545.1)
 - Package Intercept Service (2545.2)
 - Premium Data Retention and Retrieval Service (2545.3)

2105.6

Prices

* * *

Pickup On Demand Service

Add \$25.00 for each Pickup On Demand stop.

Sunday/Holiday Delivery

Add \$12.50 for requesting Sunday or holiday delivery.

~~*10:30 am Delivery*~~

~~Add \$5.00 for requesting delivery by 10:30 am.~~

IMpb Noncompliance Fee

Add \$0.25 for each IMpb-noncompliant parcel paying commercial prices, unless the eVS Unmanifested Fee was already assessed on that parcel.

eVS Unmanifested Fee

Add \$0.25 for each unmanifested parcel paying commercial prices, unless the IMpb Noncompliance Fee was already assessed on that parcel.

Attachment
Federal Register Notice

POSTAL SERVICE**39 CFR Part 111****Priority Mail Express Delivery Times**

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) in various sections to revise the Priority Mail Express® delivery times and to eliminate the optional 10:30 a.m. delivery time.

DATES: *Effective Date:* May 23, 2021.

FOR FURTHER INFORMATION CONTACT: Markes Lucius at (202) 268-6170, Denis Baranov (202) 268-4880, or Garry Rodriguez at (202) 268-7281.

SUPPLEMENTARY INFORMATION: Currently, the Priority Mail Express service guarantee delivery times for most domestic mail including Priority Mail Express Military Service® and Hold For Pickup service. are 12:00 p.m. or 3:00 p.m. as designated by the 3-digit or 5-digit destination ZIP® Code delivery areas and defined in the Priority Mail Express Delivery directory. The Postal Service is revising the 12:00 p.m. and 3:00 p.m. Priority Mail Express service guarantee delivery times to 6:00 p.m. The Postal Service is also eliminating the optional 10:30 a.m. delivery time.

The revisions to the Priority Mail Express service guarantee delivery times and elimination of the optional 10:30 a.m. delivery time will enable the Postal Service to improve the quality of service and provide a more efficient customer experience.

The Postal Service adopts the following changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is proposed to be amended as follows:

PART 111 – [AMENDED.]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 13 U.S.C. 301-307; 18 U.S.C. 1692-1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

2. Revise the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) as follows:

***Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM)**

100 Retail Mail Letters, Cards, Flats, and Parcels

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110 Retail Mail Priority Mail Express

113 Prices and Eligibility

1.0 Prices and Fees

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[Delete 1.6, “Optional Delivery Fee” in its entirety.]

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4.0 Service Features of Priority Mail Express

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4.2 Priority Mail Express 1-Day Delivery

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4.2.3 Delivery Time

[Revise the first sentence of 4.2.3 to read as follows:]

Items are delivered by 6 p.m. on the next delivery day. ***

4.2.4 Hold for Pickup

[Revise the text of 4.2.4 to read as follows:]

Except for Priority Mail Express mailpieces containing cremated remains, under Hold for Pickup service, items presented under [4.2](#) are available for pickup by the addressee at the destination facility by 6:00 p.m. of the next day that the destination office is open for retail business.

4.3 Priority Mail Express 2-Day Delivery

* * * *

4.3.3 Delivery Time

[Revise the text of 4.3.3 to read as follows:]

Items are delivered by 6 p.m. on the second delivery day. If delivery is not made, the addressee is notified. A reminder notice is left on the third day after the attempted delivery. A second delivery is attempted only upon customer request.

4.3.4 Hold for Pickup

[Revise the text of 4.3.4 to read as follows:]

Except for Priority Mail Express mailpieces containing cremated remains, under Hold for Pickup service, items presented under 4.3 are available for pickup by the addressee at the destination facility by 6:00 p.m. of the second delivery day that the destination office is open for retail business.

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200 Commercial Mail Letters, Flats, and Parcels

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210 Commercial Mail Priority Mail Express

213 Prices and Eligibility

1.0 Prices and Fees

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[Delete 1.8, “Optional Delivery Fee” in its entirety and renumber 1.9 as 1.8.]

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4.2 Priority Mail Express 1-Day Delivery

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4.2.3 Delivery Times

[Revise the text of 4.2.3 to read as follows:]

Except for items endorsed “Guaranteed by End of Day” per an approved customer agreement, items are delivered by 6 p.m. on the next delivery day. If delivery is not made, the addressee is notified. A reminder notice is left on the third day after the attempted delivery. A second delivery is attempted only upon customer request.

4.2.4 Hold for Pickup

[Revise the text of 4.2.4 to read as follows:]

Except for Priority Mail Express mailpieces containing cremated remains, under Hold for Pickup service, items presented under [4.2](#) are available for pickup by the addressee at the destination facility by 6 p.m. of the next day that the destination office is open for retail business.

4.3 Priority Mail Express 2-Day Delivery

* * * * *

4.3.3 Delivery Times

[Revise the text of 4.3.3 to read as follows:]

Except for items endorsed “Guaranteed by End of Day” per an approved customer agreement, items are delivered by 6 p.m. on the second delivery day. If delivery is not made, the addressee is notified. A reminder notice is left on the third day after the attempted delivery. A second delivery is attempted only upon customer request.

4.3.4 Hold for Pickup

[Revise the text of 4.3.4 to read as follows:]

Except for Priority Mail Express mailpieces containing cremated remains, under Hold for Pickup service, items presented under [4.3](#) are available for pickup by the addressee at the destination facility by 6 p.m. of the second delivery day that the destination office is open for retail business.

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600 Basic Standards For All Mailing Services

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604 Postage Payment Methods and Refunds

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9.0 Exchanges and Refunds

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9.2 Postage and Fee Refunds

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9.2.1 General Standards

A refund for postage and fees may be made:

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[Revise the text of item e to read as follows:]

- e. Under [9.5](#) for Priority Mail Express postage and Sunday/holiday premium fee refunds.

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9.2.5 Applying for Refund

A customer may apply for refunds under [9.2](#), as follows:

[Revise the first sentence of item a to read as follows:]

- a. *Online (preferred) at www.USPS.com/help:* For domestic, Priority Mail Express (postage, Sunday/holiday premium fee), and for Certified Mail, Return Receipt (hardcopy and electronic), Signature Confirmation, and USPS Tracking (USPS Marketing Mail only), extra services only. ***

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9.5 Priority Mail Express Postage and Fees Refunds

9.5.1 Priority Mail Express 1-Day and 2-Day Delivery

[Revise the text of 9.5.1 to read as follows:]

For Priority Mail Express 1-Day and 2-Day Delivery, the USPS refunds the postage and Sunday or holiday premium fee for an item not delivered, for an item for which delivery was not attempted, or if the item was not made available for claim by the delivery date and time specified at the time of mailing, subject to the standards for this service, unless the delay was caused by one of the situations in [9.5.5](#).

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700 Special Standards

703 Nonprofit USPS Marketing Mail and Other Unique Eligibility

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2.0 Overseas Military and Diplomatic Post Office Mail

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2.6 Priority Mail Express Military Service (PMEMS)

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2.6.5 To APO/FPO and DPO Destinations

[Revise the text of 2.6.5 to read as follows:]

Under PMEMS, items mailed to APO/FPO and DPO destinations (from the United States) are available for delivery at the destination APO/FPO or DPO Post Office by 6:00 p.m. on the designated delivery day.

2.6.6 From APO/FPO and DPO Destinations

[Revise the text of 2.6.5 to read as follows:]

Under PMEMS, items mailed from APO/FPO and DPO locations (going to the United States) are delivered to an addressee within the delivery area of the destination Post Office by 6:00 p.m. on the designated delivery day.

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Ruth B. Stevenson,
Attorney, Federal Compliance.

[END DOCUMENT]